

NOV. 17. 2005 3:27PM

PATENT GROUP

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NOV 17 2005

NO. 6097 P. 6

Rec'd PCT/PTO

17 NOV 2005

#7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Andreas Lendlein and Nokyoung Choi

U.S. Serial No.: 10/534,937 Filed: May 13, 2005

International
Application No.: PCT/EP03/12746 I.A. Filing Date: November 14, 2003

For: AMORPHOUS POLYMERIC NETWORKS

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Sir:

Responsive to the Notification of Missing Requirements Under 35 U.S.C. 371 in the
United States Designated/Elected Office (DO/EO/US), mailed November 8, 2005,

Applicants enclose the following for filing in the above-identified application:

1. Declaration for Patent Application executed by Andreas Lendlein and Nokyoung Choi;
2. Power of Attorney and Correspondence Address Indication Form executed by mnemoScience GMBH;
3. Statement Under 37 C.F.R. § 3.73(b) executed by mnemoScience GMBH, with attached copy of the Assignment from Andreas Lendlein and Nokyoung Choi to mnemoScience GmbH;
4. Fee Transmittal; and

International Application No.: PCT/EP03/12746
I.A. Filing Date: November 14, 2003
U.S.S.N.: 10/534,937
Filed: May 13, 2005
Response to Notification of Missing Requirements Under 35 USC
371 in the United States Designated/Elected Office (DO/EO/US)


5. Authorization for the Commissioner to charge Deposit Account No. 50-3129 in the amount of \$65.00 for the small entity surcharge for late filing the Declaration for Patent Application.

This application is entitled to claim small entity status pursuant to 37 C.F.R. § 1.27.

Applicants also enclose a copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), mailed November 8, 2005.

The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment in connection with this matter, to Deposit Account No. 50-3129.

Respectfully submitted,



Rivka D. Monheit
Reg. No. 48,731

Date: November 17, 2005

PABST PATENT GROUP LLP
400 Colony Square, Suite 1200
1201 Peachtree Street
Atlanta, Georgia 30361
(404) 879-2152 (Telephone)
(404) 879-2160 (Fax)

NOV. 17. 2005 3:26PM

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NO. 6097 P. 3

PTO-1590 (Rev. 12-2004)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER MNE 108
INTERNATIONAL APPLICATION NO. PCT/EP03/12746		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/534,937
INTERNATIONAL FILING DATE November 14, 2003		PRIORITY DATE CLAIMED November 15, 2002
TITLE OF INVENTION AMORPHOUS POLYMERIC NETWORKS		
APPLICANT(S) FOR DO/EO/US Andreas Lendlein and Nokyoung Choi		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). [Executed] 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.91 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Transmittal Form; Fee Transmittal; Response to Notification of Missing Requirements; Executed Statement Under 37 CFR 3.73(b) with copy of Assignment; and Copy of Notification of Missing Requirements		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Page 1 of 2

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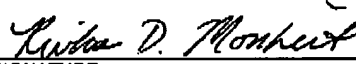
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Rec'd PCT/PTO 17 NOV 2005

PTO-1390 (Rev. 12-2004)

Approved for use through 3/31/2007. OMB 0851-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
21. The following fees are submitted:				Applicant use	Office use only
<input type="checkbox"/> a) Basic national fee..... \$300.00				\$	
<input type="checkbox"/> b) Examination fee..... \$200.00				\$	
<input type="checkbox"/> c) Search fee..... \$500.00				\$	
TOTAL OF ABOVE CALCULATIONS = \$1000.00				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 65.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =		x \$50.00	\$	
Independent claims	- 3 =		x \$200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/3.				\$	
SUBTOTAL =				\$ 65.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$ 0.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$ 65.00	
11/22/2005 MKP PAPH 00000110 503129 .10534937					
01 FC:2617 65.00 DA					
Amount to be refunded:					\$
Amount to be charged					\$
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>50-3129</u> in the amount of \$ <u>65.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-3129</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Patrea L. Pabst Pabst Patent Group LLP 1201 Peachtree Street, Suite 1200 Atlanta, Georgia 30361 United States of America			 SIGNATURE Rivka D. Monheit NAME 48,731 REGISTRATION NUMBER		

FORM PTO-1390 (REV. 12-2004)

Page 2 of 2

PAGE 4/15 * RCVD AT 11/17/2005 3:28:48 PM [Eastern Standard Time] * SVR:USPTO-EFXXF-6/30 * DNIS:2738300 * CSID: * DURATION (mm-ss):05-42

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

14

Application Number

10/534,937

Filing Date

May 13, 2005

First Named Inventor

Andreas Lendlein

Art Unit

1722

Examiner Name

Attorney Docket Number

MNE 108

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/
Incomplete ApplicationReply to Missing Parts
under 37 CFR 1.62 or 1.63

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____

☐ Landscape Table on CD

After Allowance Communication to TC

Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify
below):Transmittal Letter to the United States Designated/Elected
Office (DO/EU/US) Concerning a Submission Under 35 USC
371;
Response to Notification of Missing Requirements Under 35
U.S.C. 371 in the United States Designated/Elected Office
(DO/EU/US);
(Please see Remarks for additional enclosures)**Remarks**

Enclosures continued:

Executed Declaration;
Executed Statement Under 37 CFR 3.73(b) with copy of Assignment; and
Copy of Notification of Missing Requirements.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Pabst Patent Group LLP

Signature

Rivka D. Monheit

Printed name

Rivka D. Monheit

Date

November 16, 2005

Reg. No.

48,731

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Chandra Russell

Typed or printed name

Chandra Russell

Date

November 17, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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NO. 6097 P. 1

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information@pabstpatent.com
www.pabstpatent.com

TELEFAX

Date: November 17, 2005 Total pages: 15 (including cover sheet)
To: U.S. PTO Telephone: 404-879-2152 Telefax: 571-273-8300
From: Rivka D. Monheit Telephone: 404-879-2152 Telefax: 404-879-2160
Our Docket No. MNE 108 Client/Matter No. 077833/00013
Your Docket No.

Please call (404) 879-2150 if you did not receive all of the pages, or if they are illegible.

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MESSAGE:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Andreas Lendlein and Nokyoung Choi

U.S. Serial No.: 10/534,937

Filed: May 13, 2005

International

Application No.: PCT/EP03/12746

I.A. Filing Date: November 14, 2003

For: AMORPHOUS POLYMERIC NETWORKS

Attachments:

1. Transmittal Form;
2. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission Under 35 U.S.C. 371;
3. Fee Transmittal;
4. Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);
5. Executed Declaration (37 CFR 1.63) for Utility or Design Application Using an Application Data Sheet (37 CFR 1.76);
6. Executed Power of Attorney and Correspondence Address Indication Form;
7. Executed Statement Under 37 CFR 3.73(b) with copy of Assignment; and
8. Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);

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NO. 6097 Page 14 of 2

MNE.108
PTO file
11/15/02



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/534,937	Andreas Lendlein	MNE 108

23579
PATREA L. PABST
PABST PATENT GROUP LLP
400 COLONY SQUARE
SUITE 1200
ATLANTA, GA 30361

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PATENT DEPT.

INTERNATIONAL APPLICATION NO.	
PCT/EP03/12746	
I.A. FILING DATE	PRIORITY DATE
11/14/2003	11/15/2002

CONFIRMATION NO. 3650
371 FORMALITIES LETTER
OC000000017380454

Date Mailed: 11/08/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 05/13/2005
- English Translation of the IA filed on 05/13/2005
- Copy of the International Search Report filed on 05/13/2005
- Copy of IPE Report filed on 05/13/2005
- Copy of Annexes to the IPE filed on 05/13/2005
- English Translation of Annexes to the IPE filed on 05/13/2005
- Copy of Article 19 Amendments filed on 05/13/2005
- Preliminary Amendments filed on 05/13/2005
- Information Disclosure Statements filed on 05/13/2005
- Oath or Declaration filed on 05/13/2005
- Small Entity Statement filed on 08/04/2005
- U.S. Basic National Fees filed on 05/13/2005
- Priority Documents filed on 05/13/2005
- Non-English Language Application filed on 05/13/2005
- Specification filed on 05/13/2005
- Claims filed on 05/13/2005
- Abstracts filed on 05/13/2005
- Drawings filed on 05/13/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

Docketed for ① 12-8-05 Rndr

By: ② 1-8-06 Rsp w/o eat

④ 3-8-06 Rsp w/2 eat

⑤ 4-8-06 Rsp w/3 eat

PAGE 14/15 * RCVD AT 11/17/2005 3:28:48 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/30 * DNIS:2738300 * CSID: * DURATION (mm:ss):05:42 * DDD

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ST PATENT GROUP

NO. 6097 P. 15
Page 2 of 2

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- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

Additionally the following defects have been observed:

- Annexes have not been entered because not a page per page substitution.
- The Article 19 amendments are canceled since a translation was not provided by the appropriate 30 (37 CFR 1.495(d)) months from the priority date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/534,937	PCT/EP03/12746	MNE 108

FORM PCT/DO/EO/905 (371 Formalities Notice)

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